GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3594
ANSWERED ON:16.08.2001
DISQUALIFICATION FROM CONTESTING ELECTION
SHEESH RAM SINGH RAVI

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

to the reply given to USQ No. 5874 dated April 26, 2001 regarding disqualification from contesting election and state;

(a) whether the requisite information has since been collected;

(b) if so, the details thereof; and

(c) if not, the reasons for delay?

Answer

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) to (c) The news item titled `SC ruling music to politicians ears` appearing in the Hindustan Times dated the 26th March, 2001, as referred to in the Lok Sabha Unstarred Question No. 5874 dated 26th April, 2001,related to the judgment dated 22.3.2001 of the Supreme Court in the case of Smt. Akhtari Bi Vs. State of M.P. - Criminal appeal No. 320 of 2001 [arising out of SLP (Criminal) No. 4092 of 2000] wherein the Hon`ble Court has, while referring to the delay in disposal of appeals due to pendency of cases in High Courts after conviction of the accused by the trial court, observed as under:

`Appeal being a statutory right the trial court`s verdict does not attain finality during pendency of the appeal and for that purpose the trial is deemed to be continuing despite conviction.

The aforesaid observation and the judgment of the Supreme Court does not lead to any new interpretation vis-Ã -vis the election laws, and the newspaper report is merely an inference drawn by the concerned correspondence.